IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE SIDE

WRIT PETITION NO. 2177 OF 2006

Sharabai Laxman Naik .... Petitioner

versus

Govt. of Maharashtra & ors..... Respondent.

Shri S.S.Patwardhan for the petitioner
Shri R.M.Patne AGP for State.
Shri G.S.Godbole for Respondent no.4.

CORAM; A.P. DESHPANDE, J.
DATED; 2ND JULY, 2007

P.C.;

1. The order passed by the Addl. District Judge, Jaisingpur dated 10-10-2005 is challengted by filing the present writ petition. The order is operating since the date of the passing of the same and by the impugned order, the application at Exh.5 is partly allowed and hence the respondent is operating CLIII licence. The respondent claims to be a partner of the deceased Laxman S. Naik, the husband of the present petitioner. The trial court had rejected the temporary injunction application whereas the first Appellate Court has granted the same.

2. Perused the impguned order. The same does not suffer from any patent illegality warranting interference in exercise of writ jurisdiction, more so

as the order is operating since last almost two years. However, in my view, ends of justice will be met by directing the trial court to decide the suit expeditiously since it is pending since the year 2002. Hence writ petition is summarily dismissed. The trial court is directed to decide the suit as expeditiosly as possible and preferably within a period of six months from today, uninfluenced by the observations made by the Addl.District Judge, Jaisingpur in its order dated 10-10-2005.

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